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Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks
New York, 22-26 May 2006

Note verbale dated 31 March 2006 from the Permanent Mission of Iceland to the United Nations addressed to the Secretariat

The Permanent Mission of Iceland to the United Nations presents its compliments to the Secretariat and has the honour to refer to its note of June 2005, the report submitted by the Secretary-General in accordance with paragraph 17 of General Assembly resolution 59/25 to assist the Review Conference to implement its mandate under paragraph 2, article 36, of the United Nations Fish Stocks Agreement, and the fifth round of Informal Consultations of States Parties to the United Nations Fish Stocks Agreement, held at United Nations Headquarters in New York from 20 to 24 March 2006.

The Permanent Mission also has the honour to transmit a note entitled, "Information on measures Iceland has adopted to implement the United Nations Fish Stocks Agreement" (see annex), and requests that the present letter and its annex be circulated as a document of the Review Conference.

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Annex to the note verbale dated 31 March 2006 from the Permanent Mission of Iceland to the United Nations addressed to the Secretariat

Information on measures Iceland has adopted to implement the United Nations Fish Stocks Agreement

1. Iceland has implemented its obligations under the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the UN Fish Stocks Agreement), through enacting comprehensive legislation relating to fisheries both within and beyond areas under its national jurisdiction, by participating actively in the work of relevant regional fisheries management organizations (RFMOs), by enforcing the relevant rules and commitments in an effective manner and by contributing to the Assistance Fund under Part VII of the UN Fish Stocks Agreement.

2. Iceland participates actively in the management of straddling and highly migratory fish stocks in the North Atlantic through relevant RFMOs, including NEAFC, NAFO and ICCAT, and other fisheries management arrangements, including coastal States' cooperation. With respect to such subregional and regional fisheries management cooperation, reference is made to information already submitted and summarized in the report submitted by the Secretary-General in accordance with paragraph 17 of General Assembly resolution 59/25, to assist the Review Conference to implement its mandate under paragraph 2, article 36 of the UN Fish Stocks Agreement.

3. Icelandic fisheries management is mainly based on three legislative acts: The Fisheries Management Act of 1990; the Act concerning the Treatment of Commercial Marine Stocks of 1996; and the Act on Fisheries in Areas Beyond the National Jurisdiction of Iceland of 1996.

4. The Fisheries Management Act sets out the legal framework for Icelandic fisheries management. The Act stipulates a comprehensive system of individual transferable quotas (ITQs) for fishing vessels and the requirement for a special license in order to conduct fishing. Only vessels fulfilling specific requirements are eligible for such licenses.

5. The Act further outlines the process of setting catch limits, requiring the Minister of Fisheries to take into account the advice of the Icelandic Marine Research Institute before establishing the annual total allowable catches (TACs). In this regard it should be noted that for the last decade decisions on TACs have followed the scientific advice in almost all cases. The scientific advice is based on the precautionary approach, on long-term management plans where they have been developed, such as in the case of cod, and in some cases on multi-stock models taking into account the interactions between the different stocks from top predators down. A multi-stock approach is already applied when setting TACs for capelin, shrimp and cod.

6. As the Icelandic fisheries management system is based on ITQs, no specific capacity reduction plans are applied. The system relies instead on output control to ensure that catches are kept within sustainable levels. The quota holders are left to determine the appropriate level of capacity they deem best fit their quota shares.

7. The Icelandic fisheries management system takes into account ecosystem considerations in many respects. The main legislative act in this field is the Act concerning the Treatment of Commercial Marine Stocks. The system allows for rules to be set to take into account the impacts of fisheries on different components of the marine ecosystem, *inter alia* by area restrictions, fishing gear restrictions and considering

the interaction between different stocks. Iceland implements an ecosystem approach to fisheries by adding new elements to its fisheries management regime as knowledge on the various ecosystem aspects increases.

8. There are specific detailed provisions prohibiting discards, setting out sanctions for violating this prohibition. Economic incentives are also applied in order to combat discards. To minimize by-catch, regulations are in force regarding the use of specific fishing gear in certain fisheries and areas, including mesh size regulations. Furthermore, seasonal and permanent area closures are applied to protect spawning grounds and juveniles. Limited areas can be closed without prior notice on the basis of reports on excessive by-catch.

9. Various rules are in place in order to protect marine biodiversity. These include permanent closure of areas to fisheries in order to protect vulnerable habitats, closure of areas to protect spawning and juveniles as well as non-targeted stocks, and the use of multi-stock models and fishing gear restrictions in the management of fisheries.

10. The Icelandic Marine Research Institute conducts extensive research on the marine ecosystem, aiming at increasing knowledge that can be used to take ecosystem considerations into account in fisheries management. This research is, *inter alia*, aimed at developing multi-stock models, mapping vulnerable areas and identifying spawning grounds and areas with high concentrations of juveniles.

11. The Act on Fisheries in Areas Beyond the National Jurisdiction of Iceland sets out the rules for Icelandic fishing vessels on the high seas and within the national jurisdiction of another State. It is intended to incorporate the provisions of the UN Fish Stocks Agreement into Icelandic national legislation. The Act requires Icelandic vessels to be licensed to fish on the same basis as is the case within the national jurisdiction of Iceland and provides for the allocation of Iceland's share of agreed TACs when fishing for stocks that are subject to management of RFMOs or other arrangements. The Minister of Fisheries has on the basis of this Act the authority to set regulations to implement international obligations undertaken by Iceland in respect to such fisheries. This includes the use of Vessel Monitoring Systems, logbook requirements, a system of designated ports and weighing-in requirements.

12. Iceland has in force strict rules regarding port State control. These rules provide for closure of Icelandic ports to foreign vessels taking part in fishing activities that are not in conformity with Iceland's international obligations in this field, including vessels on IUU lists of the relevant RFMOs. The rules further provide for closure of ports to vessels taking part in fishing activities that are contrary to sustainable fishing practices from stocks that straddle Icelandic waters or are in another way contrary to Icelandic interests. These port closures include a ban on the landing of catches and a ban on providing any service to such vessels. In addition Icelandic service providers are prohibited from rendering service to such vessels at sea both in areas within and beyond the national jurisdiction of Iceland.

13. Iceland enforces the fisheries management rules in an active and effective manner through the use of Vessel Monitoring Systems, designated ports, weighing-in requirements and the use of observers and inspectors. Investigation of alleged violations is carried out and appropriate sanctions applied. The sanctions include suspension of fishing licenses, confiscation of catches and fishing gear, and fines.

14. Finally, it should be noted that Iceland has contributed 49,500 United States dollars to the Assistance Fund under Part VII of the UN Fish Stocks Agreement, the purpose of which is to provide financial assistance to developing States Parties in the implementation of the Agreement.